

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>UNITED STATES OF AMERICA,</b>	:	
	:	
v.	:	<b>5:07-CR-16 (WDO)</b>
	:	
<b>JASON WHITE,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER ON DEFENDANT’S MOTION FOR RECONSIDERATION**

On October 18, 2007, the Court denied Defendant’s motion to suppress, finding no merit to the arguments presented in the motion. The matter is now before the Court on Defendant’s motion to reconsider that order. Defendant presented no legal grounds for, or factual arguments in support of, the motion to reconsider. Defendant only argues that denying his request for a hearing deprives him of the “opportunity to cross-examine the state’s witnesses regarding evidentiary issues and Defendant’s right to a fair trial.”

A motion for reconsideration is not an opportunity for the movant to instruct the Court on how it “could have done it better” the first time. Preserve Endangered Areas of Cobb’s History v. United States Army Corps of Engineers, 916 F. Supp. 1557, 1560 (N.D. Ga. 1995). Absent the discovery of new evidence, an intervening change in the law or the issuance of binding authority contrary to the court’s previous decision, a motion to reconsider is inappropriate. Id. at 1560-61. Further, as explained in the Court’s previous order, a defendant’s arguments in a motion to suppress “must in every critical respect be sufficiently definite, specific, detailed, and nonconjectural to enable the court to conclude that a substantial claim is presented.” United States v. Richardson, 764 F.2d 1514, 1527 (11<sup>th</sup> Cir. 1985) (citations omitted). “In short, the motion must allege facts which, if proven, would provide a basis for relief. A court need not act

upon general or conclusory assertions founded on mere suspicion or conjecture, and the court has discretion in determining the need for a hearing.” Id. (citation omitted).

Defendant provided no legal grounds for or factual argument to support his motion to reconsider. Rather, Defendant has only presented general or conclusory assertions founded on mere suspicion or conjecture. Having determined there is no basis to reconsider the order that denied the motion to suppress, the Motion to Reconsider is DENIED.

**SO ORDERED this 22<sup>nd</sup> day of October, 2007.**

*s/ Hugh Lawson*  
**HUGH LAWSON**  
**UNITED STATES DISTRICT JUDGE**

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